IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL WRIT PETITION NO.1630 OF 1994

Nhava Sheva Port and General
Workers Union — Petitioner
Vs.
Board of Trustees of
Jawaharlal Nehru Port & ors. — Respondents

Mr.Jaiprakash Sawant for petitioner.
Ms.S.I.Shah for Resp.No.2.

CORAM: B.H.MARLAPALLE & D.B.BHOSALE,JJ.

April 18, 2006.

P.C.

. Heard the learned counsel for the respective parties and admittedly the Central Administrative Tribunal is seized of the Reference for deciding the status of the Petitioner-Union's members as employees of the contractor or the principal employer as the case may be and, therefore, this petition is disposed off as withdrawn. This order will not come in the way of the petitioner-Union to challenge the vires of Section 42(3) of the Major Port Trusts Act, 1963 in future, if so advised.

(D.B.BHOSALE,J.) (B.H.MARLAPALLE,J.)